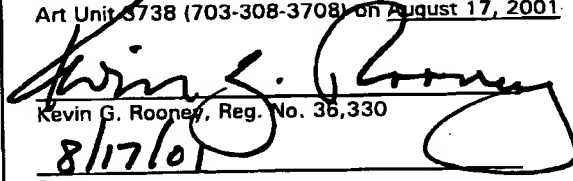


## PATENT

I hereby certify that this correspondence is being transmitted via facsimile to Examiner Prebilic in Group Art Unit 3738 (703-308-3708) on August 17, 2001.

  
Kevin G. Rooney, Reg. No. 36,330  
8/17/01  
Date

#19

Applicants: Warren Williamson IV et al.  
Serial No.: 09/306,448  
Filed: May 6, 1999  
Art Unit: 3738  
Examiner: P. Prebilic  
Title: MEANS AND METHOD OF REPLACING A HEART VALVE  
IN A MINIMALLY INVASIVE MANNER  
Atty Docket: CVT-02

Cincinnati, Ohio 45202

August 17, 2001

**PRELIMINARY RESPONSE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Following up on the Preliminary Amendment filed July 25, 2001,

Applicants submit herewith a copy of the recorded Assignment for parent

Application Serial No. 08/606,343, filed February 23, 1996 (now U.S. Patent No. 5,716,370) which was recorded on October 20, 1998 at Reel 9516, Frame 0825.

In view of the common ownership between the present application and the '370

patent, Applicants submit that the '370 patent is no longer a proper reference under 35 U.S.C. § 103. See § 103(c).

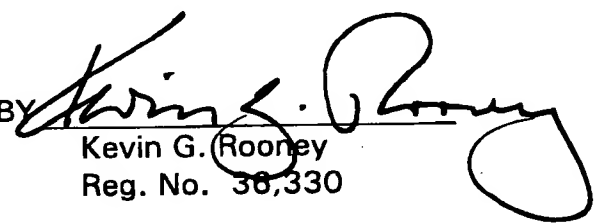
If there is any additional matter that may be resolved by telephone or fax, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicants do not believe that any fees are due in connection with this submission. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

BY

  
Kevin G. Rooney  
Reg. No. 38,330

2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202  
(513) 241-2324